UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/47/474
27 September 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 8

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

Letter dated 25 September 1992 from the Permanent Representatives of Bosnia and Herzegovina and Croatia to the United Nations addressed to the Secretary-General

The General Assembly of the United Nations has taken a vote at its forty-seventh session, adopting its resolution 47/1 on 22 September 1992, under agenda item 8.

The General Assembly has acted upon the recommendation of the Security Council as expressed in Council resolution 777 (1992) of 19 September 1992, which recalls its previous resolution 757 (1992) of 30 May 1992 by stating that the Federal Republic of Yugoslavia (Serbia and Montenegro) should not be granted its claim to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia.

The General Assembly, by adopting its resolution 47/1, considers "that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia". The Assembly has decided "that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations".

Security Council resolution 777 (1992) clearly states that the member country and founding member of the United Nations, formerly known as Socialist Federal Republic of Yugoslavia, "has ceased to exist". Therefore, a State that does not exist cannot be a member of the United Nations.

At this moment, there is no doubt that the Socialist Federal Republic of Yugoslavia is not a member of the United Nations any more. At the same time, the Federal Republic of Yugoslavia is clearly not yet a member.

If a country has to apply for membership in the United Nations - as stated in paragraph 1 of General Assembly resolution 47/1 - it is our understanding that the country in question is not a member until and when the application has been accepted by the General Assembly, upon the recommendation of the Security Council.

The flag flying in front of the United Nations and the name-plaque bearing the name "Yugoslavia" do not represent anything or anybody any more. The flag has been renounced by Belgrade. The "new Yugoslavia" has adopted a flag different from the one flying in front of the United Nations. The name "Socialist Federal Republic of Yugoslavia", which the name-plaque represents, has also been renounced by Belgrade.

We do not see any legal ground for such a policy.

Therefore, we kindly request that you provide a legal explanatory statement concerning the questions raised. If we find no satisfactory legal grounds in your statement, we reserve the right to request formally at that time that you act in your capacity as the chief executive of the United Nations, and order the flag of the former Socialist Federal Republic of Yugoslavia lowered from the honourable mast of the United Nations; the name-plaque of the former Socialist Federal Republic of Yugoslavia removed from the General Assembly Hall and all its organs, and the seating organization of that august body adjusted accordingly.

(Signed) Muhamed SACIRBEY
Permanent Representative of the
Republic of Bosnia and
Herzegovina to the United Nations

(Signed) Mario NOBILO
Permanent Representative of the
Republic of Croatia to the
United Nations

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/47/475
S/24596
28 September 1992

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 139

SECURITY COUNCIL
Forty-seventh year

COMPLETE WITHDRAWAL OF FOREIGN MILITARY FORCES FROM THE TERRITORIES OF THE BALTIC STATES

Letter dated 28 September 1992 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a letter dated 26 September 1992 from Mr. Anatolijs Gorbunovs, the Chairman of the Supreme Council of the Republic of Latvia, on the negotiations between Latvia and the Russian Federation on the withdrawal of military forces from the territory of Latvia (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda item 139, and of the Security Council.

(Signed) Aivars BAUMANIS
Ambassador
Permanent Representative
of the Republic of Latvia
to the United Nations

ANNEX

Letter dated 26 September 1992 from the Chairman of the Supreme Council of Latvia addressed to the Secretary-General

I have the honour to refer to our meeting on 25 September 1992, during my visit to the United Nations to address the General Assembly. At that time we had the occasion to discuss the negotiations between Latvia and the Russian Federation on the withdrawal of military forces from the territory of Latvia.

In my address to the General Assembly I expressed Latvia's willingness to adhere to the final document of the Conference on Security and Cooperation in Europe, in which the participating States committed themselves to end the "stationing of foreign armed forces on the territories of the Baltic States without the required consent of those countries."

I should be grateful if you would investigate the possibility whether, with the consent of the Russian Federation, United Nations observers could participate in future negotiations between Latvia and the Russian Federation on the withdrawal of military forces from the territory of Latvia.

(Signed) Anatolijs GORBUNOVS
Chairman of the Supreme Council
of the Republic of Latvia

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/47/476
28 September 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 97 (a) and (b)

HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS; HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Letter dated 28 September 1992 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a letter dated 26 September 1992 from Mr. Anatolijs Gorbunovs, the Chairman of the Supreme Council of the Republic of Latvia, on the human rights situation in Latvia (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly under item 97 (a) and (b).

(Signed) Aivars BAUMANIS
Ambassador
Permanent Representative of the
Republic of Latvia to the
United Nations

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ANNEX

Letter dated 26 September 1992 from the Chairman of the Supreme Council of Latvia addressed to the Secretary-General

I have the honour to refer to our meeting on 25 September 1992, during my visit to the United Nations to address the General Assembly. At that time we had the occasion to discuss the human rights situation in Latvia.

In my address to the General Assembly I indicated that Latvia is ready to have its human rights situation examined by experts on the Commission on Human Rights. This was in response to the address by the Minister for Foreign Affairs of the Russian Federation before the General Assembly on 22 September 1992, particularly his reference to "the growing discriminatory practices against Russians, Ukrainians, Belarussians, Jews and other non-indigenous nationalities in certain new States that emerged on the territory of the former USSR, specifically in Estonia and Latvia".

I should be grateful if you would use your good offices with the Under-Secretary-General for Human Rights and the Centre for Human Rights to expedite the dispatching of a fact-finding mission to Latvia by United Nations human rights experts.

(Signed) Anatolijs GORBUNOVS
Chairman of the Supreme Council
of the Republic of Latvia

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/47/477
29 September 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 78

DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

Note by the Secretary-General

Pursuant to the request in paragraph (c) of General Assembly decision 46/461 of 20 December 1991, the Secretary-General has the honour to submit to the Assembly the report of the President of the Economic and Social Council (see annex) on the outcome of the informal exchange of views held during the substantive session of 1992 of the Council on the report of the Commonwealth Group of Experts on the Impact of Global Economic and Political Change on the Development Process (see A/C.2/46/12, annex, and Add.1).

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ANNEX

Outcome of the informal exchange of views held in the Economic and Social Council on the report of the Commonwealth Group of Experts on the Impact of Global Economic and Political Change on the Development Process

Report of the President of the Economic and Social Council

1. An informal discussion of the report of the Commonwealth Group of Experts took place during the substantive session of the Economic and Social Council, on 22 July 1992. A document containing the Executive summary of the report of the Commonwealth Group of Experts entitled "Change for the better: global change and economic development" was circulated to delegations (A/C.2/46/12, annex, and Add.1). An opening statement was made by the President of the Council. The exchange of views was started with a panel discussion. Commenting on the report were the following panel members: Mr. Arthur Brown, Governor, Bank of Jamaica, and Chairman of the Commonwealth Group of Experts, Mr. Göran Ohlin, former Assistant Secretary General for International Economic and Social Affairs, Ms. Alice Amsden, Professor of Economics, New School for Social Research, and Mr. Shafiqul Islam, Senior Fellow for International Economics and Finance, Council on Foreign Relations.

2. The Chairman of the Group of Experts opened the panelists' discussions. The report dealt with the following main elements of change in the 1980s:

(a) The rise of the debt burden of developing countries;

(b) The decline in net financial flows to developing countries;

(c) The decline in world savings and greater competition for them;

(d) The end of East-West tensions and the increase in the scope for reductions in military expenditures;

(e) Setbacks to progress in education, health and nutrition;

(f) Intensification of interdependence;

(g) Growth of regional integration;

(h) The increased salience of small groups of major countries (as the group of seven major industrialized countries) in international economic management;

(i) Changes in the orientation of domestic policies towards market forces and their repercussions for development cooperation;

(j) Democratization and reduction of statism;

(k) Increase in environmental degradation and awareness of the need to arrest it;

(l) Increased need for population policies;

(m) Growth of drug trafficking;

(n) Increased emphasis on the need for gender equality;

(o) The breaking up of countries and the increase in ethnic and tribal violence.

3. Taking into account all these developments at a time when it was also necessary to restore growth and development in many developing countries presented a major challenge. A new approach to international cooperation was needed if the opportunities provided by change were to be used beneficially to accelerate development and eradicate poverty.

4. The report of the Commonwealth Group of Experts was referred to by one of the panelists as a landmark. It represented a strong search for a vision and an interpretation of the enormous changes of recent years. In the panelist's view, during the eighteenth and nineteenth centuries industrialization had primarily been achieved by inventing new products and processes. In contrast, during the twentieth century learning had been the basis for industrialization in places such as Brazil, Japan, the Republic of Korea, Singapore and Turkey. When capital and technology were lacking, low wages were an important asset if late industrializing countries were to be competitive in manufacturing. However, experience in East Asia had shown that low wages (and devaluations) were insufficient to create a competitive advantage over the superior technology of, for example, Japan. Government intervention became, therefore, a necessary ingredient of late industrialization. Governments in East Asian countries subsidized and protected industries according to criteria of "reciprocity", that is, subsidies were contingent on productivity and export performance. That principle differentiated fast growing, rapidly industrializing countries from slower growing countries where subsidies had been handed out as "give-aways" and kept enterprises dependent.

5. The panelist stated that adjustment and stabilization programmes were becoming a feature in the developing world. The United Nations should contribute to designing standards of conditionality for aid in order to increase the accountability of aid. The policy conditions presented by the international financial institutions should not be assessed by those institutions alone. There should be the possibility of dissenting voices against a monopoly of views; for example, the United Nations should make an independent assessment of the development policies implemented.

6. Another panelist noted that the report of the Commonwealth Group of Experts was quite comprehensive, almost encyclopaedic, describing a large number of important changes, and yet in the end came up with proposals that were rather conventional. As an example, the panelist noted the reiteration

of the call for more official development assistance (ODA), which had failed to have much effect in recent decades. The logic of aid, the panelist noted, was in contradiction to the logic of independence. After 30 years, attitudes of donor countries had changed, become more complex, more inclined towards bilateralism. Moreover, there were currently difficulties in the industrialized countries. It was not that aid was not needed; however, without a renewal of growth in developed countries, the general political will and public opinion climate were not favourable to foreign aid. According to the panelist, it was frivolous to say that, given political will, the aid target of 0.7 per cent of GDP could be achieved. Particular political constellations explained those cases (like Sweden) where the target was achieved.

7. Another panelist was surprised that so little attention had been given in the report to policies at the domestic level in developing countries. Most recommendations were aimed at the North or the international community, and yet the ultimate responsibility for the citizens in a country lies in the country itself or its governing élite. There were cases in which developing countries were their own worst enemy. Developing countries had much to gain from improved domestic policies. Self-reliance could only be the consequence of domestic efforts and sound policies. The panelist expressed concern about aid dependency. Several decades of aid had not led to success in some countries and, on the other hand, success cases were not explained by aid.

8. Comments were made from the floor. The Chairman of the Group of 77 noted that aid dependency was not a state deliberately sought by developing countries. After all, the international economic environment was largely the result of the policies of developed countries. The Director of the Development Policy and Analysis Division, Department of Economic and Social Development, noted that the focus on domestic policy alone should not go as far as to neglect the importance of trade in succesful development as well as the need to liberalize and expand trade worldwide.

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/47/478
S/24599
29 September 1992

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 8
ADOPTION OF THE AGENDA AND
ORGANIZATION OF WORK

SECURITY COUNCIL
Forty-seventh year

Letter dated 28 September 1992 from the Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit, enclosed herewith, a letter addressed to you by Mr. Ilija Djukic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda item 8, and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

ANNEX

Letter dated 28 September 1992 from the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General

I am writing to you in connection with the letter dated 25 September 1992 addressed to you by the Permanent Representatives of Bosnia and Herzegovina and Croatia (A/47/474).

I should like to point out that the interpretation of Security Council resolution 777 (1992) of 19 September 1992 and General Assembly resolution 47/1 of 22 September 1992 contained in that letter is both unfounded and erroneous. Not only that it is contrary to the provisions of the relevant resolutions but also to the general thrust prevailing at the time of their adoption.

In that regard, I should like to emphasize the following:

1. Resolution 47/1 stipulates Yugoslavia's non-participation in the work of the General Assembly. This decision does not affect its membership in the United Nations and therefore the question of the flag and the name-plate of Yugoslavia in the General Assembly should not be brought up. The fact that the flag and the name-plate remained in place after the adoption of General Assembly resolution 47/1 indicates that the Secretariat of the United Nations has rightly interpreted the provisions of the above-mentioned resolution.

2. The spokesman for the President of the General Assembly also pointed out, on 23 September 1992, that this situation was not a question of membership but a question of the participation of the Government of Yugoslavia in the work of the General Assembly and that the flag and the name-plate would remain in place.

3. In interpreting the said resolution one should also be guided by the opinion of its authors. In this connection, it would be helpful to quote the statement by the representative of the United Kingdom of Great Britain and Northern Ireland who, in introducing the draft resolution in the General Assembly, said that [the decision that the Federal Republic of Yugoslavia should not participate in the work of the General Assembly] "means in particular that no representative of the Federal Republic of Yugoslavia (Serbia and Montenegro) will sit in the seat of Yugoslavia in any organ of the Assembly" (A/47/PV.7). This clearly implies that the seat and name-plate of Yugoslavia remain in place in the General Assembly in the view of the authors of the relevant resolution.

4. At the time when the Security Council made the recommendation (resolution 777 (1992), the representative of the Russian Federation, in explaining his vote, said: "The decision to suspend the participation of the Federal Republic of Yugoslavia in the work of the General Assembly will in no way

affect the possibility of participation by the Federal Republic of Yugoslavia in the work of other organs of the United Nations, in particular the Security Council, nor will it affect the issuance of documents to it, the functioning of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations or the keeping of the name-plate with the name Yugoslavia in the General Assembly Hall and the rooms in which the Assembly's organs meet" (S/PV.3116).

The Chinese representative said that resolution 777 (1992) "does not mean the expulsion of Yugoslavia from the United Nations. The name-plate 'Yugoslavia' will be kept in the General Assembly Hall. The Federal Republic of Yugoslavia will continue its participation in the work of United Nations bodies other than the General Assembly. The Federal Republic of Yugoslavia will continue to issue its documents in the United Nations" (S/PV.3116).

In view of the above, we are convinced that there are no legal grounds whatsoever for requests to remove the name-plate and flag of Yugoslavia. The recommendation of the Security Council, the decision of the General Assembly and the ensuing debates unambiguously indicate that the decision in question deals exclusively with Yugoslavia's non-participation in the work of the General Assembly.

(Signed) Ilija DJUKIC
Federal Minister for Foreign
Affairs of the Federal Republic
of Yugoslavia